

**TESTIMONY OF THE
DEPARTMENT OF INLAND FISHERIES AND WILDLIFE
BEFORE THE JOINT STANDING COMMITTEE ON INLAND
FISHERIES AND WILDLIFE**

**IN SUPPORT OF
L.D. 807**

“An Act To Amend Maine's Threatened and Endangered Species List”

Sponsored By:	Senator SAVIELLO of Franklin
Cosponsored By:	Representative WELSH of Rockport
	Senator BREEN of Cumberland
	Representative CAMPBELL of Orrington
	Representative DUCHESNE of Hudson
	Representative HANLEY of Pittston
	Representative HARLOW of Portland
	Representative WHITE of Washburn.

DATE OF HEARING: April 2, 2015

Good afternoon Senator Davis, Representative Shaw and members of the Inland Fisheries and Wildlife Committee. I am Andrea Erskine, Deputy Commissioner of the Department of Inland Fisheries and Wildlife, speaking on behalf of the Department, in support of **L.D. 807**.

This bill proposes changes to the State list of Endangered and Threatened Species. Since 1995, an amendment to the Maine Endangered Species Act stipulates that the Legislature holds the final authority to designate inland fish and wildlife as Endangered or Threatened (**12 MRSA §12803, sub-§3**). Subsection 5 further directs that “the Legislature may not amend the list of Endangered or Threatened species in subsection 3 except upon the recommendation of the Commissioner.”

The current list of Maine’s Endangered and Threatened species administered by this agency is comprised of 45 species. The proposed bill would

- add five species to the existing list as Endangered;
- add one species to the existing list as Threatened;
- reclassify two species on the existing list from Endangered to Threatened; and
- reclassify one species on the existing list from Threatened to Endangered.

Section 4 of this bill contains a drafting error made on the Department’s part when preparing the final draft in coordination with the Revisor’s office. Two proposed listing changes which were

previously considered during reviews by peer scientists and during public notifications in 2014 have since been withdrawn. Therefore, no changes are proposed to the current statute language in **12 MRSA §12803, sub-§3, ¶¶ MM and NN**. The reference to repeal these paragraphs in L.D. 807 is not endorsed.

The Department has initiated changes to Maine's list of Endangered and Threatened Species on 5 previous occasions since 1984. The last revision of the List occurred during 2009 when the Threatened status of a single species (bald eagles) was repealed and subsequently reclassified as a Recovered Species. The last additions to this List were adopted by the 123rd Legislature. Sixteen new species were designated as either Endangered or Threatened in 2007.

Changes proposed in L.D. 807 would add three mammals and three invertebrates to Maine's current list of Endangered and Threatened Species. All three mammals are cave-dwelling bats in the genus *Myotis*. Catastrophic declines of these bats are widely documented in eastern states and provinces. Each of the three invertebrates (one butterfly, one tiger beetle, and one land snail) have highly specialized habitat requirements and is documented at a single location in Maine. All changes are science-based decisions that comply with agency regulations (Chapter 8.05) and policies detailed in our "Maine Endangered and Threatened Species Listing Handbook;" see <http://www.maine.gov/ifw/pdfs/listingHandbook.pdf> The concepts are based upon principles for assessing vulnerability established by the International Union for Conservation of Nature.

Our package of listing justifications in support of L.D. 807 will be provided to the Committee prior to the work session. I would be glad to answer any questions at this time or during the work session.